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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

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MAY 20 2004

OFFICE OF PETITIONS

ON PETITION

In re Application of
Yoichiro Iritani, et al.
Application No. 10/019,019
Filed: December 26, 2001
Attorney Docket No. 21683/5US3PCT

This is a decision on the petition under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee, filed May 19, 2004.

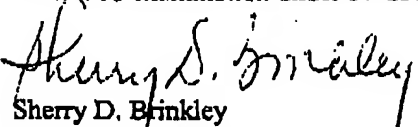
The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid, December 24, 2003, in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries relating to this decision should be directed to the undersigned at (703) 305-9220.

The application is being forwarded to Technology Center 3744 for further processing of the request for continued examination under 37 CFR 1.114.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

RECEIVED: 5/21/04
OBLON, SPIVAK, MCCLELLAND
MAIER & NEUSTADT, P.C.
DOCKETING DEPT.
Initials/Date Docketed: W-5/21/04
Type of Resp(s): _____
Due Date(s): _____

¹The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).

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OSMM&P File No. 216835US3PCT

Dept.: EM

By: GJM:RTP:MOM:psn

Serial No. 10/019,019

In the matter of the Application of: Yoichiro IRIKAWA, et al.

For: EVAPORATOR AND REFRIGERATOR

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Credit Card form for \$ 900.00
- Information Disclosure Statement ■ PTO-1449
- Cited References 5
- Petition to Withdraw from Issue Under 37 C.F.R. §1.313(c)(2)
- Japanese Office Action w/ English translation
- Request for Continued Examination (RCE) Transmittal

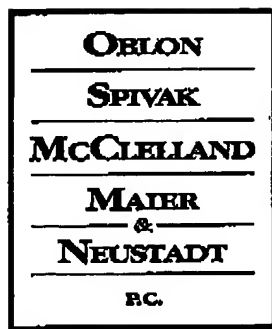
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TO	Examiner Look	June 17, 2004
	NAME	DATE
	U. S. Patent & Trademark Office	703-746-4519
	COMPANY/FIRM	FAX #
	NUMBER OF PAGES INCLUDING COVER: 8	CONFIRM FAX: <input type="checkbox"/> YES <input type="checkbox"/> NO
FROM	Serene Nacey	216835US-3 PCT
	NAME	OUR REFERENCE
	703-412-4537	10/019,019
	DIRECT PHONE #	YOUR REFERENCE

MESSAGE

Pursuant to our telephone conversation today, please find attached signed copies of the papers filed on May 19, 2004 as well as the Statement that the Petition to Withdraw from Issue is Granted. If I can be of any further help, please do not hesitate to contact me.

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